

To: Person in charge of public comments, System Optimization Office, General Affairs Division, General Affairs Department, Japan Patent Office

Opinions on the “Design and Development of New Administrative Systems Based on the JPO Services and System Optimization Plan (Revised)”

[Name]	Yuichi Usui Chairperson, Intellectual Property Information Search Committee, Japan Intellectual Property Association
[Opinion 1]	
<u>Relevant Sections</u>	
3.4 Improvement of Industrial Property Rights Information Provision	
3.4.1 Real-time data provision	
1) Transitional information on application, registration and appeals and trials	
<u>Opinions</u>	
We would like to request the following:	
1. The continuous provision of information in conventional media at marginal costs; and	
2. An online system that allows easy extraction of the updated portions of the data.	
<u>Reasons</u>	
Although end users are unlikely to download all of the updated data, database producers would periodically download the Standardized Data. This might cause traffic congestion to the annoyance of users. To avoid such inconvenience, data should be periodically provided by conventional media as well.	
We would appreciate an online system designed to enable users to extract necessary data efficiently.	
[Opinion 2]	
<u>Relevant Sections</u>	
3.3 Promotion of Internet Publication	
3.3.3 Improvement of Internet gazette services	
1) Free adjustment of gazette document download volume	
3) Provision of authority file	
<u>Opinions</u>	
We would like to request a system that allows data extraction based on such conditions as the publication date, publication number, IPC/FI/F terms, the name of applicant, keywords, etc.	
<u>Reasons</u>	
Those search conditions would enable us to efficiently extract the gazettes we need. Needless to say, we hope to use the SDI in the future.	
[Opinion 3]	
<u>Sections</u>	
3.4 Improvement of Industrial Property Rights Information Provision	
3.4.1 Real-time data provision	
3) File wrapper information	
<u>Opinions</u>	
Data should be made available at a website with a fixed URL. The website should also offer previous data.	
<u>Reasons</u>	
Such website would enable us to efficiently use data by creating a link between the website and a corporate computer system or a personal database.	

[Opinion 4]

Relevant Sections

3.7 Miscellaneous

3.7.1 Other improvements related to documents

1) Intermediate code

Opinions

The intermediate code system should not be abolished.

Reasons

We request the continual use of intermediate codes because the abolishment of the intermediate code system would cause many problems. For example, intermediate codes are used not only in the internal management system but also in almost all kinds of patent-related systems, including commercial databases. However, many of these systems cannot easily operate on document names. Furthermore, intermediate codes are indispensable for conducting a search on commercial databases. Data consistency would be lost if intermediate codes were replaced with document names.

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[Opinion 1]

Relevant Sections

- 3.1.1 One-stop portal
- 3.2 Introduction of Interactive Filing Function
 - Regarding authentication

Opinions

We would like to request authentication of persons who have no authority to file an application as well as persons who have such authority.

Reasons

In general, a company has various people engaged in patent acquisition, such as researchers, the staff of the Intellectual Property Department in charge of document preparation, and operators in charge of procedural tasks.

For example, it is an operator's job to receive a notice of reasons for refusal and pass it on to the inventor and intellectual property staff, who have the authority to examine the notice, decide what measures to take, and prepare necessary documents. Those documents are sent to an operator who is in charge of filing documents with the authorities.

Under the current authentication system, the intellectual property staff or the inventor, who is not authorized by the company to file an application, could file an application, raising the risk of making a mistake or conducting an act disadvantageous to the company.

For this reason, in order to promote the use of the interactive application function, it would be necessary to distinguish operators from intellectual property staff and the inventor in terms of the level of authorization to access the Patent Office.

[Opinion 2]

Relevant Sections

- 3.7.1 Other improvements related to documents
 - Abolishment of the intermediate code system

Opinions

The intermediate code system should not be abolished.

Reasons

The intermediate code system has been used by many companies for schedule management of intermediate procedures, assessment of patents, and collection of various statistics.

The abolishment of the intermediate code system would necessitate companies to spend an enormous amount of time and money modifying the current systems, which utilize intermediate codes. As a result, some companies would be unable to make such modification.

[Opinion 3]

Relevant Sections

- 3.1.2 API for utilization of the functions offered by the JPO

Opinions

- (1) The API should be made available for all the functions offered by the interactive application system.
- (2) The earliest disclosure of the specifications of the API would be desirable.

Reasons

The interactive application system could not be efficiently used in coordination with corporate systems unless a variety of APIs are available.

We need to obtain the specifications of the API as soon as possible in order to make preparations for the introduction of the interactive application service scheduled for 2011.

[Opinion 4]

Relevant Sections

3.2 (2) Batch processing of interactive filings

Opinions

The function of batch processing should be available not only for data prepared in the form of documents but also data prepared in the form of csv-format lists.

Reasons

Efficient document preparation and application filing would be necessary for simultaneous processing of a great number of cases that involve the filing of requests for examination, the payment of annual fees, the change of agents, etc.

[Opinion 5]

Relevant Sections

3.5 Systematization of Notification Documents

Opinions

(1) Some notices, such as a notice of trial decision, that have not been systemized should be systemized as soon as possible.

(2) In addition to the systematization between main documents and management documents, the systematization of management documents themselves would be desirable.

Reasons

The purpose of systematization is to send more easily understandable documents to applicants. Therefore, the systematization of notices of reasons for refusal issued in the course of trial is necessary in addition to that of notices of reasons for refusal issued in the course of examination.

Currently, due to the lack of systematization between main documents and management documents, data obtained from management documents is not necessarily correct. (We would appreciate if you could consider the possibility of modification of the existing system as well.)